

REMARKS

These remarks are responsive to the Office Action of January 8, 2008. Claims 37-43, 45, and 46 are pending in this application. Claim 37 has been amended. Reconsideration and allowance of the instant application are respectfully requested. Each of the Examiner's rejections is addressed below.

Section 103

In the Office Action, claims 37-43 and 45-46 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 5,689,850 to Shekalim ("Shekalim") in view of JP 2002-10832 ("JP '832"). This rejection is respectfully traversed.

The combination of Shekalim and JP '832 fails to disclose or make obvious the recited inventive toothbrush of independent claim 37.

In particular, neither Shekalim nor JP '832, teaches or discloses a toothbrush with a cleaning head including a first cleaning/treating element adjacent a first end that is non-movable relative to the first end and is an endmost cleaning/treating element at the first end, and a second cleaning/treating element adjacent a free end that is non-movable relative to the free end and is an endmost cleaning/treating element at the free end, as required by independent claim 37.

As acknowledged in the Office Action, Shekalim has no cleaning/treating elements having characteristics that differ from other cleaning/treating elements.

JP '832 does not disclose the required first and second cleaning/treatment elements that are endmost elements with respect to the first and free ends of the toothbrush. In JP '832, tufts 1 with supporting structure 2 are movable with respect to the free end of the brush, they are not fixed to the free end. Further, one skilled in the art would be taught away from having an endmost cleaning element at the free end that is fixed with respect to the free end. The purpose of the toothbrush of JP '832 is to have the movable tufts 1 located at the free end of the brush. Providing fixed tufts at this location would go against the purpose and express teachings of JP '832.

Accordingly, the rejection is improper and should be withdrawn.

CONCLUSION

It is respectfully submitted that this application is in condition for allowance. If any additional fees are required or if an overpayment has been made, the Commissioner is authorized to charge or credit Deposit Account No. 03-2455.

Respectfully submitted,
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